



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DeGoey, et al.

SERIAL NO.: 10/733,946

FILED: December 11, 2003

FOR: HIV PROTEASE INHIBITING  
COMPOUNDS

EXAMINER: (not assigned)

GROUP ART NO.: 1642

CASE NO.: 7263.US.01

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Date of Deposit: *October 8, 2004*

*Kathleen Boettcher*  
Kathleen Boettcher

PETITION TO CORRECT INVENTORSHIP

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition the Commissioner of Patents and Trademarks to correct the inventorship of the above-identified patent application by adding the names of David A. DeGoey, Charles A. Flentge, William J. FLosi, David J. Grampovnik, and Dale J. Kempf to the list of inventors with **David A. DeGoey** being listed as the first named inventor which originally enumerated only Larry L. Klein.

This petition is supported by statements of fact, enclosed herewith, verified by the originally named inventor Larry L. Klein, and the Attorney for Applicants Kalim S. Fuzail. The verified statements set forth events leading to the discovery of the misjoinder of inventors. These events show that the misjoinder resulted through an error without deceptive intent and the petition for amendment of inventorship is being made promptly after the error was discovered.

Please charge Deposit Account 01-0025 in the amount of \$130.00 to cover the cost of the correction. A copy of this sheet is attached.

Sincerely,  
David A. DeGoey, et al.

*Kalim S. Fuzail*  
Kalim S. Fuzail

Registration No. 45,805  
Attorney for Applicants

Abbott Laboratories  
Customer Number: 23492  
Telephone: (847) 935-7835  
Fax: (847) 938-2623

10/13/2004 HDEMESS1 00000017 010025 10733946

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**PATENT**

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*Kathleen Boettcher*  
Kathleen Boettcher

**CONSENT OF ASSIGNEE TO CHANGE INVENTORSHIP**

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Robert DeBerardine, hereby state:

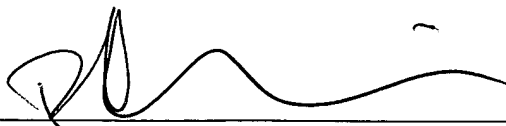
1. I am authorized to consent to the requested change of inventorship in U.S. Patent Application Serial No. 10/733,946.

2. Abbott Laboratories is the owner of U.S. Patent Application Serial No. 10/733,946 by assignment from each and every of the three joint inventors.

3. I am familiar with the application, including the request that the designation of inventorship be amended to add the names of David A. DeGoey, Charles A. Flentge, William J. Flosi, David J. Grampovnik, and Dale J. Kempf to the application which originally named Larry Klein.

4. I am familiar with the declarations and a verified statement filed in this case supporting such a change in the identification of inventorship.

5. On behalf of Abbott Laboratories, I consent to the change of inventorship.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a series of loops and a long horizontal stroke.

---

Robert DeBerardine  
Divisional Vice President, Patents and Trademarks



PATENT

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*Kathleen Boettcher*  
Kathleen Boettcher

VERIFIED STATEMENT OF FACTS OF LARRY L. KLEIN

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

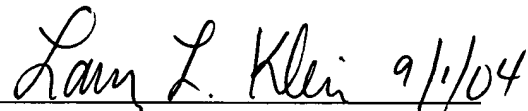
Dear Sir:

1. I am an employee of Abbott Laboratories, Abbott Park, Illinois, U.S.A.
2. I am the originally named inventor of the invention claimed in U.S. Patent Application Serial Number 10/733,946 which has a filing date of December 11, 2003.
3. At the time I submitted the information necessary for drafting a patent application to the Abbott Laboratories Patent Department, I was unaware of the fact that contributions of fellow Abbott Laboratories employees, David A. DeGoey, Charles A. Flentge, William Joseph Flosi, David J. Grampovnik, and Dale J. Kempf, would be encompassed by the claims in U.S. Patent Application Serial Number 10/733,946.
4. Shortly after U.S. Patent Application Serial Number 10/733,946 was filed, it was realized that David A. DeGoey, Charles A. Flentge, William Joseph Flosi, David J. Grampovnik, and Dale J. Kempf had been omitted from the 10/733,946 application.

5. It was concluded by Kalim S. Fuzail, that David A. DeGoey, Charles A. Flentge, William Joseph Flosi, David J. Grampovnik, and Dale J. Kempf had been erroneously omitted as joint inventors of U. S. Patent Application Serial Number 10/733,946.

6. The correct joint-inventors were not named in the application as originally filed through error without deceptive intent.

7. I believe that all statements made herein were made from my own knowledge; that all statements made herein were believed to be true; and further, that all statements made herein were made with the knowledge that willful false statements are punishable by fine, imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of U.S. Patent Application Serial Number 10/733,946 or any patent issuing thereon.

  
Larry L. Klein                      Date



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*Kathleen Boettcher*  
Kathleen Boettcher

**DECLARATION IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP**  
**UNDER 37 CFR §1.48(A)**

Commissioner for Patents  
Mail Stop Missing Parts  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, David A. DeGoey, hereby verify that the error in inventorship in the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

*9-1-04*  
Date

*David A. DeGoey*  
David A. DeGoey



PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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Alexandria, VA 22313-1450

Dear Sir:

I, Charles A. Flentge, hereby verify that the error in inventorship in the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

*9-1-04*

*Charles A. Flentge*  
Charles A. Flentge



PATENT

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Commissioner for Patents  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, William J. Flosi, hereby verify that the error in inventorship in the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

*9/1/04*  
\_\_\_\_\_  
Date

*William J. Flosi*  
\_\_\_\_\_  
William J. Flosi





PATENT

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Alexandria, VA 22313-1450

Dear Sir:

I, David J. Grampovnik, hereby verify that the error in inventorship in the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

*9-1-04*  
\_\_\_\_\_  
Date

*David J. Grampovnik*  
\_\_\_\_\_  
David J. Grampovnik



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Alexandria, VA 22313-1450

Dear Sir:

I, Dale J. Kempf, hereby verify that the error in inventorship in the above-identified application occurred without deceptive intent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

*8/31/09*  
\_\_\_\_\_  
Date

*Dale J. Kempf*  
\_\_\_\_\_  
Dale J. Kempf